IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

PRINCIPAL FINANCIAL SERVICES, INC.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No.
	)	
US-PRINCIPAL.COM,	)	
	)	
Defendant.	)	

COMPLAINT

Plaintiff, Principal Financial Services, Inc. (hereinafter "Plaintiff" or "Principal"), by its undersigned counsel with Neal & McDevitt, LLC serving as of counsel, for its Complaint in this action, alleges:

PARTIES

1. Principal is a corporation duly organized and existing under the laws of the State of Iowa with its principal place of business located at 711 High Street, Des Moines, Iowa 50392.

2. Principal is a direct, wholly-owned subsidiary of Principal Financial Group, Inc. (NYSE-PFG).

3. Principal is the owner of its famous family of PRINCIPAL and PRINCIPAL formative trademarks in the United States and throughout the world. Principal, through its various member companies and licensees, uses its famous family of PRINCIPAL and PRINCIPAL formative trademarks in interstate commerce and throughout the world in connection with a variety of services including, but not limited to, investment, investment management, investment advisory, lending, real estate, insurance, underwriting, employee

benefits, estate planning, tax consultation, financial, banking, mutual funds, retirement, global asset management, and healthcare related services.

4. The defendant in this *in rem* action is the domain name us-principal.com. The domain name registrar for the us-principal.com domain name identifies the registrant of us-principal.com as "Garry Warren" with an address of 100 alakija way, Oluti, Lagos, Nigeria, 23401, phone number +234.7024234231, email: gary.warren1977@yahoo.com. The current WHOIS Data for the us-principal.com domain name is attached hereto as Exhibit A.

5. The domain name registrar for the us-principal.com domain name is PDR Ltd. d/b/a PublicDomainRegistry.com, Directiplex, Mogra Village, Nagardas Road, Andheri (East), Mumbai Maharashtra, India 400069, phone 12013775952 and e-mail address: tldadmin@logicboxes.com.

6. The domain name registry for the us-principal.com domain is VeriSign, Inc., a Delaware corporation having its principal place of business at 12061 Bluemont Way, Reston, VA 20190.

JURISDICTION AND VENUE

7. This is a civil action arising under the Lanham Act of the United States, 15 U.S.C. §1051, *et seq.*, subject matter jurisdiction being conferred on this Court under 15 U.S.C. §1121, 28 U.S.C. §1332, 28 U.S.C. §§1338 (a) and (b), and 28 U.S.C. § 1367.

8. This Court has *in rem* jurisdiction over the us-principal.com domain name pursuant to 15 U.S.C. §1125(d)(2)(C) because VeriSign, Inc., the registry of the us-principal.com domain name, is located in this district and in this division.

9. Venue is proper in this District pursuant to 15 U.S.C. §1125(d) because VeriSign, Inc. is located in this district and in this division.

FACTS

The Famous PRINCIPAL Family of Trademarks

10. Principal is one of the nation's oldest and most respected providers of investment, investment management, investment advisory, mutual funds, insurance, underwriting, real estate, lending, employee benefits, estate planning tax consultation, financial, banking, retirement, global asset management, and healthcare related services (hereinafter "Plaintiff's Services"). Principal was founded more than a century ago, and it, and its affiliates, licensees, and predecessors in interest have used the PRINCIPAL mark since at least 1960. Today, Principal and its licensees are among the top providers of insurance, retirement, and real estate investment services in the United States and around the world, with more than $547 billion in assets under management. Examples of Principal's use of its PRINCIPAL mark can be found in attached Exhibit B.

11. By virtue of its longstanding and widespread use of the PRINCIPAL mark in connection with a variety of services, Principal is the owner of the famous family of PRINCIPAL and PRINCIPAL formative trademarks, including, but not limited to, the PRINCIPAL, PRINCIPAL BANK, THE PRINCIPAL, PRINCIPAL FINANCIAL GROUP, PRINCIPAL REAL ESTATE INVESTORS, PRINCIPAL GLOBAL INVESTORS, and PRINCIPAL LIFE INSURANCE COMPANY marks. Principal has applied for and obtained numerous United States Trademark Registrations for marks that consist of or incorporate the mark PRINCIPAL, which are detailed in the chart attached hereto as Exhibit C. Copies of Principal's United States Trademark Registrations are attached hereto as Exhibit D. Principal's

common law PRINCIPAL formative marks along with the uses, Registrations and Applications reflected in Exhibits B, C and D are hereinafter collectively referred to as the "PRINCIPAL Family of Marks".

12. Principal has made an enormous investment, exceeding one billion dollars, in advertising and promoting its products and services under the PRINCIPAL Family of Marks. As a result, Plaintiff has acquired valuable goodwill in association with the PRINCIPAL Family of Marks, which have become widely recognized by the general consuming public of the United States as a designation of source for Principal's services. Principal's customers have come to rely on the PRINCIPAL Family of Marks as a symbol of quality and reliability.

13. Principal conducts business world-wide using the domain www.principal.com. Principal also uses the @principal.com domain for Principal employee e-mail addresses, and uses other domains as e-mail addresses and/or websites that use the word "Principal" in connection with a geographic designation, such as www.principalindia.com, and/or a business-unit designation, such as www.cimb-principal.com.my.

The Infringing Domain

14. The WHOIS information associated with the us-principal.com shows that the us-principal.com domain name was registered on January 29, 2017. Exhibit A. As of today's date, the WHOIS information shows Garry Warren, of Nigeria, as the registrant.

15. On January 31, 2017, an individual claiming to be Steve Whitty, a marketing executive with Principal in the United States, telephoned an employee of Principal India to request travel services. Later that day, the individual claiming to be Whitty followed up by sending an e-mail to the Principal India employee from the e-mail address whitty.steve@us-principal.com. In that e-mail, the individual claiming to be Whitty requested that the Principal

India employee select a travel agent who can make "all our reservation and also instruct them that payment will be on invoice basis and will be internally settled in 5-10 days." The signature line of this e-mail bore the signature "Principal Financial Group, Steve Whitty, Vice President Marketing" and included Principal's Iowa address and one of Principal's trademarks:

16. Steve Whitty is, in fact, the Vice President of Corporate Marketing for Principal, but he did not request travel related services from the Principal India employee, nor did he send any e-mail from the whitty.steve@us-principal.com e-mail address. Rather, on information and belief, the owner of the us-principal.com domain impersonated Steve Whitty for the purpose of inducing Principal India and/or third-parties to incur liability for non-Principal related travel.

17. On information and belief, the owner of the us-principal.com domain has sent e-mails using the whitty.steve@us-principal.com e-mail address directly to travel agencies in an effort to obtain travel services that would later be billed directly to Principal.

COUNT I

CYBERPIRACY UNDER §1125(d) OF THE LANHAM ACT

18. Principal repeats and re-alleges the allegations of paragraphs 1 through 17 as if fully set forth herein.

19. The registrant of the us-principal.com domain name has registered without authorization the us-principal.com domain name, which incorporates in its entirety Principal's distinctive PRINCIPAL trademark.

20. The registrant's selection of a domain incorporating the PRINCIPAL mark along with the geographic designation "US", as well as registrant's attempts to impersonate a real

Principal employee, demonstrate that the registrant of the us-principal.com domain name registered the domain with the bad faith intent to profit from Principal's famous Principal Family of Marks in violation of Principal's right under the Anticybersquatting Consumer Protection Act of 1999, 15 U.S.C. §1125(d).

21. The registrant of the us-principal.com domain name has caused and will continue to cause great and irreparable injury to Principal and, unless such acts are restrained by this Court, they will be continued and Principal will continue to suffer great and irreparable injury.

22. Plaintiff has no adequate remedy at law.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays that the Court enter judgment granting the following relief:

A. Direct the registrant of the us-principal.com domain name to transfer the us-principal.com domain name to Principal;

B. Direct the registrar of the us-principal.com domain name to disable registrant's access to and transfer the us-principal.com domain name to Principal;

C. Direct VeriSign, Inc, the registry of the us-principal.com domain name, to disable registrant's access to and transfer the us-principal.com domain name to Principal; and

D. Award such other and further relief that this Court may deem just and equitable.

Dated: February 1, 2017

Respectfully submitted,

PRINCIPAL FINANCIAL SERVICES, INC.
By Counsel

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